

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director
and Attorney-in-Chief

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

December 14, 2022

BY ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square, Room 2013
New York, NY 10007

MEMO ENDORSED

**Re: United States v. Andre James,
22 Cr. 549 (KPF)**

Dear Judge Failla:

I write with the consent of the government to request that the Court adjourn the conference now scheduled for December 20, 2022 by approximately 30–45 days. This adjournment will allow the parties to address a technological issue with respect to the production of certain discovery videos and for counsel to review the videos with Mr. James and to determine whether to file motions in this matter. Specifically, we request that the Court adjourn this matter to February 1, 2, or 3, 2023, if possible, as both parties are available on those dates.

If the Court grants this request, the parties submit that the time until the next conference should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h), in the interest of justice.

Sincerely,

/s/

Clay H. Kaminsky
Assistant Federal Defender
(212) 417-8749 / (646) 842-2622

CC: AUSA Amanda Weingarten

Application GRANTED. The conference currently scheduled for December 20, 2022, is hereby ADJOURNED to **February 3, 2023, at 3:00 p.m.**

It is further ORDERED that time is excluded under the Speedy Trial Act between December 20, 2022, and February 3, 2023. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit defense counsel to continue to review discovery and prepare any pretrial motions.

Dated: December 14, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE